

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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BLACK LOVE RESISTS IN THE RUST :	
by and through MARIELLE SHAVONNE :	
SMITH and CHARIS HUMPHREY on :	
behalf of its members; SHAKETA :	
REDDEN; DORETHEA FRANKLIN; :	
TANIQUA SIMMONS; DE'JON HALL; :	
JOSEPH BONDS; CHARLES PALMER; :	
SHIRLEY SARMIENTO; EBONY :	
YELDON; and JASMINE EVANS, :	
individually and on behalf of a class of all :	Case No.: 1:18-cv-00719-CCR
others similarly situated,	:
	:
Plaintiffs,	:
v.	:
	ECF Case
	:
CITY OF BUFFALO, NY; BYRON B. :	
BROWN, Mayor of the City of Buffalo, in :	
his individual and official capacities; :	
BYRON C. LOCKWOOD, Commissioner :	
of the Buffalo Police Department, in his :	
individual and official capacities; DANIEL :	
DERENDA, former Commissioner of the :	
Buffalo Police Department, in his individual :	
capacity; AARON YOUNG, KEVIN :	
BRINKWORTH, PHILIP SERAFINI, :	
ROBBIN THOMAS, UNKNOWN :	
SUPERVISORY PERSONNEL 1-10, :	
UNKNOWN OFFICERS 1-20, each :	
officers of the Buffalo Police Department, in:	
their individual capacities,	:
	:
Defendants.	:

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PLAINTIFFS' APPENDIX TO LOCAL RULE 56 STATEMENT OF MATERIAL FACTS

Plaintiffs Black Love Resists in the Rust, Shaketa Redden, Dorothea Franklin, Taniqua Simmons, De'Jon Hall, Joseph Bonds, Charles Palmer, Shirley Sarmiento, Ebony Yeldon, and

Jasmine Evans provide the following Appendix to their Local Rule 56 Statement of Material Facts in support of their Motion for Partial Summary Judgment:

APPENDIX OF DOCUMENTS	
Declaration	Declaration of Philip Irwin, dated February 7, 2025
Exhibit 1	Excerpted Transcript of March 16, 2022 Deposition of Kevin Brinkworth
Exhibit 2	Excerpted Transcript of November 6, 2023 Deposition of Byron Brown
Exhibit 3	Excerpted Transcript of November 10, 2021 Deposition of Daniel Derenda
Exhibit 4	Excerpted Transcript of December 23, 2021 Deposition of Daniel Derenda
Exhibit 5	Excerpted Transcript of January 23, 2024 Deposition of the City of Buffalo's Fed. R. Civ. P. 30(b)(6) designee Daniel Derenda
Exhibit 6	Excerpted Transcript of September 22, 2023 Deposition of Joseph Gramaglia
Exhibit 7	Excerpted Transcript of March 14, 2024 Deposition of the City of Buffalo's Fed. R. Civ. P. 30(b)(6) designee Joseph Gramaglia
Exhibit 8	Excerpted Transcript of August 10, 2023 Deposition of Byron Lockwood
Exhibit 9	Excerpted Transcript of August 17, 2023 Deposition of Byron Lockwood
Exhibit 10	Excerpted Transcript of December 27, 2021 Deposition of Philip Serafini
Exhibit 11	Excerpted Transcript of October 26, 2022 Deposition of Aaron Young
Exhibit 12	Excerpted Transcript of December 13, 2022 Deposition of Shirley Sarmiento
Exhibit 13	Defendants' Amended Responses to Plaintiffs' Fifth Set of Interrogatories and Sixth Request for Production of Documents

APPENDIX OF DOCUMENTS	
Exhibit 14	Defendants' Amended Response to Plaintiffs' First Set of Requests for Admission
Exhibit 15	Expert Report of Professor David Bjerk, dated May 29, 2024
Exhibit 16	Chapter 1, Sections 1 through 3 of the Buffalo Police Department's Manual of Procedures, bearing Bates numbers COB000247-61
Exhibit 17	Chapter 1, Section 8 of the Buffalo Police Department's Manual of Procedures, bearing Bates numbers COB000247-49, COB000289-91
Exhibit 18	Chapter 8, Section 10 of the Buffalo Police Department's Manual of Procedures, bearing Bates numbers COB000539-41, COB000574-76
Exhibit 19	June 29, 2012 Email from Daniel Derenda, bearing Bates number COB279173
Exhibit 20	July 5, 2016 Email from Philip M. Serafini, bearing Bates number COB040949
Exhibit 21	Exhibit 3 to the January 23, 2024 deposition of the City of Buffalo's Fed. R. Civ. P. 30(b)(6) designee Daniel Derenda, bearing Bates number COB060319
Exhibit 22	Exhibit 20 to the January 23, 2024 deposition of the City of Buffalo's Fed. R. Civ. P. 30(b)(6) designee Daniel Derenda, bearing Bates numbers COB041712-13
Exhibit 23	Exhibit 22 to the January 23, 2024 deposition of the City of Buffalo's Fed. R. Civ. P. 30(b)(6) designee Daniel Derenda, bearing Bates numbers COB041705-09
Exhibit 24	Exhibit 16 to the November 6, 2023 deposition of Byron Brown, bearing Bates number COB082897
Exhibit 25	Exhibit 17 to the November 6, 2023 deposition of Byron Brown, New Economy Project, Police Checkpoints – Buffalo, NY
Exhibit 26	Exhibit 32 to the August 17, 2023 deposition of Byron Lockwood, Aaron Besecker, <i>Buffalo's most issued traffic ticket is for tinted windows</i> , Buffalo News, May 13, 2019
Exhibit 27	Exhibit 8 to the March 16, 2022 deposition of Kevin Brinkworth, bearing Bates number COB591045

APPENDIX OF DOCUMENTS	
Exhibit 28	Exhibit 5 to the October 26, 2022 deposition of Aaron Young, bearing Bates numbers COB228535, COB245589, COB224759, COB232166, COB215625, COB215219, COB236452, COB221057, COB234488
Exhibit 29	Strike Force and Housing Unit Daily Reports, bearing Bates numbers COB029724-25, COB029730-31
Exhibit 30	Buffalo Police Department Roadblock Directive, bearing Bates number COB060320
Exhibit 31	Buffalo Police Department emails from 2013-2015, bearing Bates numbers COB042018-19, COB056123-24, COB056235-36, COB056243-44, COB056326-27, COB056348, COB056484
Exhibit 32	November 1, 2017 Email from Philip M. Serafini, bearing Bates number COB041743
Declaration	Declaration of Edward P. Krugman, dated May 29, 2024
Declaration	Declaration of Plaintiff Joseph Bonds, dated May 31, 2024
Declaration	Declaration of Plaintiff Jasmine Evans, dated May 21, 2024
Declaration	Declaration of Plaintiff Dorethea Franklin, dated May 13, 2024
Declaration	Declaration of Plaintiff De'Jon Hall, dated May 13, 2024
Declaration	Declaration of Plaintiff Charles Palmer, dated May 24, 2024
Declaration	Declaration of Plaintiff Shaketa Redden, dated May 13, 2024
Declaration	Declaration of Plaintiff Shirley Sarmiento, dated May 16, 2024
Declaration	Declaration of Plaintiff Taniqua Simmons, dated May 13, 2024
Declaration	Declaration of Plaintiff Ebony Yeldon, dated May 28, 2024

Dated: February 7, 2025

s/ Philip Irwin

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